

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

INITIAL STATUS REPORT

August 4, 2004

SWARTWOOD, M.J.

The following is an Initial Status Report to Saylor, J. to whom this case is assigned:

1. Discovery

The Government has produced approximately ninety percent of the discovery that it intends to produce in this case. The Government has a few items, including a tape which Mr. Cabral will need to transcribe, which it intends to deliver in the next several weeks. Mr. Cabral's counsel has requested time to review discovery produced by the Government in order to determine whether or not further discovery will be requested. I have granted that request.

2. Further Status Conference

A further status conference shall be held in this case on September 10, 2004, at 3:15 p.m., in Courtroom 1, Fifth Floor, Donohue Federal Building, United States Courthouse, 595 Main

Street, Worcester, Massachusetts 01608.

3. Excludable Time

With the assent of counsel for the parties, I am excluding from the Speedy Trial Act, the period from June 29, 2004 (date of expiration of prior order of excludable time) through September 10, 2004 (date by which Mr. Cabral and his counsel will have completed their review of discovery produced by the Government). Therefore, assuming no further order of excludable time under the plan for prompt disposition of criminal cases, this case must be tried on or before Friday, November 19, 2004.

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE